

OD-4

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

IA NO. GA/31/2026
IN
CS/911/1988

SRI SUSANTA DEY & ORS.
VS
SRI NANDALAL DEY & ORS.

BEFORE:

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : February 06, 2026.

Appearance:

Mr. Subir Sabud, Adv.

Mr. Surojit Maity, Adv.

.... for the plaintiffs.

Mr. Sakya Sen, Sr. Adv.

... for the defendant no.18.

Mr. Gulam Mustafa, Adv.

Ms. Mohua Palit, Adv.

... for the defendant no.3.

Mr. Arun Kumar Das, Adv.

... for the defendant nos. 4 & 6.

The Court:-Learned Advocates for the plaintiff/petitioner moves the application being GA/31/2026 for recalling the order dated September 4, 2025 and restoring the order dated August 13, 2025 passed in the morning.

Mr. Sen learned Senior Advocate for the defendant no.18 vehemently objects the petition and submits that this application is not maintainable on the ground that pursuant to the order dated August 13, 2025 the matter was fixed and upon hearing the learned Advocate at length a decision was taken on September 4, 2025. He further submits that as the application itself is *ex facie* not maintainable, there is no scope for filing any affidavit.

However, learned Advocates for the defendant nos.3, 4 and 6, who are present, are supporting this application of the plaintiff/petitioner and they intend to file affidavit thus an opportunity is given to file affidavit. Let affidavit be filed on or before February 27, 2026.

Let this matter appear on March 6, 2026.

(BISWAROOP CHOWDHURY, J.)

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